IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 27146 of 1998

Between:

1 K.Sreenivasulu, S/o K.Ramachandraiah,
R/o Hyderabad. AAQ 6525 & AAT 5035.
2 M.Masthan, S/o M.Basha Saheb,
R/o Adoni, Kurnool Dist.
AP 21 V 1398.
3 P.Vali Sab, S/o P.Fakruddin,
R/o Adoni, Kurnool Dist.
AP 21 V 0533.
4 A.Vijaya Bhaskar Reddy, S/o A.Rami Reddy,
R/o Adoni, Kurnool Dist.
AP 21 V 1080.
5 S.Mohd. Khasim, S/o Fareed Sab,
R/o Adoni, Kurnool Dist.
AP 21 T 4833.
6 R. Ismail, S/o Shaikshavali,
R/o Adoni, Kurnool Dist.
AAQ 5029.
7 S.Jeelan Basha, S/o S.Khasim Saheb,
R/o Adoni, Kurnool Dist.
AP 21 V 2277.
8 M.Khaliar, S/o M.Shaik Ahmed Saheb,
R/o Adoni, Kurnool Dist.
A D Q 5666.
9 P.Mahabub Basha, S/o B.Shaik Shavali,
R/o Adoni, Kurnool Dist.
AP 21 V 1476.
10 K.Nagaraja Rao, S/o K.GaneshRao,
R/o Punganur , Chittoor District.
APC 6730.
11 U.Veeranna, S/o Ramalingappa,
R/o Guntakal AAQ 1187.

..... PETITIONERS

AND

1 The Secretary cum Registering Authority
Regional Transport Authority , Kurnool.
2 The Secretary cum Registering Authority,
Regional Transport Authority, Chittoor.
3 The Secretary cum Registering Authority,
Regional Transport Authority, Anantapur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order one in the nature of Writ of Mandamus declaring the action of the respondents in not permitting to carry 16,200kgs instead of 15,660kgs in the vehicle of the petitioners, the registering numbers of which are stated in the cause title as illegal and arbitrary and unjust and contrary to the contents of the notification and Section 58 (4) of the M.V Act and consequently direct the respondents to permit the vehicle of the petitioners to carry 16,200 kgs by duly entering the same in RC and other related documents.

Counsel for the Petitioner: MR.K.MADHAVA REDDY

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER**:**

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners to carry Gross Vehicle weight of 16,200 kgs in his Heavy Goods vehicles as illegal and arbitrary and consequently, to direct the respondents to permit the petitioners to carry the said weight in their goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the said judgment of the Apex Court, this writ

petition is also dismissed for the same reasons. No order as to costs.

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08.04.2005

r/tvk

To

1 The Secretary cum Registering Authority
Regional Transport Authority , Kurnool.
2 The Secretary cum Registering Authority,
Regional Transport Authority, Chittoor.
3 The Secretary cum Registering Authority,
Regional Transport Authority, Anantapur Dist.

4 Two C.Cs. to G.P. for Transport, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

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